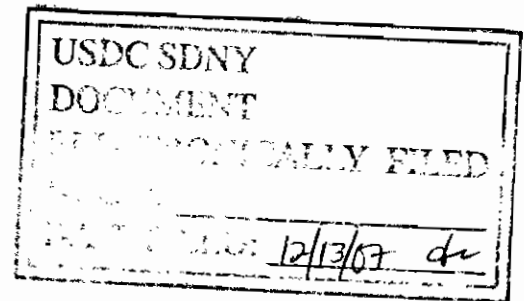


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MEMORANDUM

December 5, 2007

BY ECF
Honorable Barbara S. Jones

Re: United States v. David Tiburcio-Duverge, 07 Cr. 1090 (BSJ)

Dear Judge Jones,

I write for two reasons: 1) to notify the Court that I am retained to represent Mr. Tiburcio-Duverge in the above-referenced case, which I was advised was assigned to Your Honor; and 2) to seek a modification of the conditions of Mr. Tiburcio-Duverge's bail conditions, which currently require 24-hour home confinement with electronic monitoring.

Mr. Tiburcio-Duverge lives with his wife and mother-in-law and his two young children, who attend school approximately 15-20 minutes by foot or 10 minutes by car from their house. Since Mr. Tiburcio-Duverge is being supported by his wife, who returns home from her job at 4 a.m. each day and his mother-in-law, who has to work every morning, Mr. Tiburcio-Duverge requests that his bail conditions be modified to the extent to permit him to take his children to school and pick them up each day. Mr. Tiburcio-Duverge informed me that he could leave his house at 7:45 a.m. and drop his children off and return home by 8:15 a.m. and pick them up between 2:30 and 3:15 p.m. each day. The modification would only apply to New York City Public School days when the children attend school. The government, by A.U.S.A. Todd Blanche, has no objection to this modification as long as Pre-Trial Services has no objection. I await the position of Pre-Trial Services Officer Gianfranco Furelli, for whom I left a message this afternoon.

no objection - J.S. Cohn

Sincerely,

Jeffrey Cohn

copy/ Gianfranco Furelli (by fax)

Application granted. Defendant's bail conditions are modified to allow him to take and pick up his children from school. All other bail conditions remain unchanged.

SO ORDERED
Dated:

BARBARA S. JONES
U.S.D.J.

12/12/07